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 7 Bank of America Corporation, Banc of  
 America Investment Services, Inc. and Banc  
 of America Securities LLC  
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9 **UNITED STATES DISTRICT COURT**  
 10 **SOUTHERN DISTRICT OF CALIFORNIA**

11  
 12 Sumner D. Bearman, Individually  
 and on Behalf of All Others  
 13 Similarly Situated,

14 Plaintiff,  
 15 v.

16 Bank of America Corporation, Banc  
 of America Investment Services,  
 17 Inc., and Banc of America Securities  
 LLC,

18 Defendant.

19 Case No. 08-CV-1115-DMS-WMC

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**DEFENDANTS' NOTICE OF  
 PARTY WITH FINANCIAL  
 INTEREST**

21 Pursuant to Southern District of California Local Rule 40.2, Defendants  
 22 hereby state that Bank of America Corporation is a publicly traded corporation  
 23 organized under the laws of the State of Delaware and whose shares are traded on  
 24 the New York Stock Exchange. No other publicly traded corporation owns 10% or  
 25 more of the stock of Bank of America Corporation. Banc of America Investment  
 26 Services, Inc. and Banc of America Securities LLC are not publicly traded  
 27 corporations. Bank of America Corporation is the only publicly traded corporation  
 28 that owns a greater than 10% interest in Banc of America Investment Services, Inc.

1 and Banc of America Securities LLC.  
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Dated: July 30, 2008

SETH ARONSON  
DAVID I. HURWITZ  
O'MELVENY & MYERS LLP

6 By: /s/ David Hurwitz  
7 David Hurwitz  
8 Attorneys for Defendants  
9 Bank of America Corporation, Banc of  
10 America Investment Services, Inc. and  
11 Banc of America Securities LLC  
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